



**FEDERAL COMMUNICATIONS COMMISSION
ENFORCEMENT BUREAU
SOUTH CENTRAL REGION**

Miami Office
P.O. Box 520617
Miami, FL 33152

September 19, 2013

Damian Allen
Fort Lauderdale, Florida

NOTICE OF UNLICENSED OPERATION

Case Number: EB-FIELDSCR-13-00010442
Document Number: W201332600002

On August 7, 2013, September 6, 2013, and September 11, 2013, agents from this office confirmed by direction finding techniques that radio signals on frequency 101.1 MHz were emanating from 1975 E. Sunrise Blvd., Suite 815, Fort Lauderdale, Florida 33304. This office has information that you leased Suite 815. The Commission's records show that no license was issued for operation of a broadcast station on 101.1 MHz at this location in Fort Lauderdale, Florida.

Radio stations must be licensed by the FCC pursuant to 47 U.S.C. § 301. The only exception to this licensing requirement is for certain transmitters using or operating at a power level that complies with the standards established in Part 15 of the Commission's rules, 47 C.F.R. §§ 15.1 *et seq.* On August 7, 2013, and September 6, 2013, the field strengths of the signal on frequency 101.1 MHz exceeded the maximum permitted level of 250 microvolts per meter ($\mu\text{V/m}$) at 3 meters for non-licensed devices. Thus, this station was operating in violation of 47 U.S.C. § 301.

You are hereby warned that operation of radio transmitting equipment without a valid radio station authorization constitutes a violation of the Federal laws cited above and could subject the operator to severe penalties, including, but not limited to, substantial monetary fines, *in rem* arrest action against the offending radio equipment, and criminal sanctions including imprisonment. (See 47 U.S.C. §§ 401, 501, 503 and 510). Be advised that this warning does not preclude this office from pursuing additional sanctions based upon our investigation of this incident.

UNLICENSED OPERATION OF THIS RADIO STATION MUST NOT RESUME.

You have ten (10) days from the date of this notice to respond with any evidence that you have authority to operate granted by the FCC. Your response should be sent to the address in the letterhead and reference the listed case and document number. Under the Privacy Act of 1974, 5 U.S.C. § 552a(e)(3), we are informing you that the Commission's staff will use all relevant material information before it to determine what, if any, enforcement action is required to ensure

your compliance with FCC Rules. This will include any information that you disclose in your reply.

You may contact this office if you have any questions.

Stephanie Dabkowski
Resident Agent
Miami Office
South Central Region
Enforcement Bureau

Attachments:

Excerpts from the Communications Act of 1934, As Amended
Enforcement Bureau, "Inspection Fact Sheet," March 2005